

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION

MICHAEL WETHERINGTON, :
: Petitioner :
: VS. :
: NO. 7:05-CV-24(HL)
Warden STEVE BENTON, :
: Respondent : **ORDER**

Before the Court is petitioner **MICHAEL WETHERINGTON'S** motion for issuance of a certificate of appealability ("COA") to appeal the judgment of this Court denying his application for habeas relief under 28 U.S.C. § 2254. Under 28 U.S.C. § 2253(c), a COA may issue only if the applicant has made a substantial showing of the denial of a constitutional right.

For the reasons stated in United States Magistrate Judge Hodge's recommendation and this Court's order accepting the same, the Court finds that petitioner has not made a substantial showing of the denial of a constitutional right. 28 U.S.C. § 2253(c)(2). Accordingly, petitioner is **DENIED** the issuance of a COA.

SO ORDERED, this 5th day of July, 2006.

s/ Hugh Lawson
HUGH LAWSON
UNITED STATES DISTRICT JUDGE

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